

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Escutia Analyst: Gloria McConnell Bill Number: SB 434

Related Bills: See Prior Analysis Telephone: 845-4336 Amended Date: 06/04/03

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agency Investigations & Hearings

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED March 26, 2003, STILL APPLIES.

☒ OTHER - See comments below.

SUMMARY

This bill would amend the Government Code. The provisions in this bill relating to investigations by prosecuting attorneys or the Attorney General (AG) of unlawful activity would be declaratory of existing law. Additionally, the bill would set forth rules relating to evidence, testimony, and subpoenaing of witnesses in conjunction with court actions or administrative hearings.

Additionally, the bill would make changes that would affect the Corporate Securities Law of 1968 and California Commodity Law of 1990, which do not affect the Franchise Tax Board's (FTB's) programs or operations.

SUMMARY OF AMENDMENT

The June 4, 2003, amendments generally make changes that affect only the AG and the Commissioner of Corporations.

The May 12, 2003, amendments are to the Corporate Securities Law of 1968 and California Commodity Law of 1990 provisions, which do not affect FTB's programs or operations.

The bill as amended still would not have a fiscal impact on the department or an identifiable revenue impact under the Personal Income Tax and Corporation Tax Laws, as addressed in the previous analysis of the bill.

Board Position:

<input type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input checked="" type="checkbox"/> PENDING

Legislative Director

Date

Brian Putler

6/4/03

POSITION

Pending.

LEGISLATIVE STAFF CONTACT

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